

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled:

**Vertical Field of Regard Mechanism for Driver's Vision Enhancer**

the specification of which (check one):

is attached hereto.

was filed on \_\_\_\_\_ as U.S. Patent Application No. \_\_\_\_\_.

was filed on \_\_\_\_\_ as International Application (PCT) No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, § 1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

***PRIOR FOREIGN APPLICATION(S)***

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Allan M. Lowe, Registration Number 19,641; Benjamin J. Hauptman, Registration Number 29,310; Michael G. Gilman, Registration Number 19,114; Kenneth M. Berner, Registration Number 37,093; Randy A. Noranbrock, Registration Number 42,940 and William E. Beaumont Registration Number 30,996.

Send correspondence to: **LOWE HAUPTMAN GILMAN & BERNER, LLP**  
**CUSTOMER NO. 22429**  
1700 Diagonal Road, Suite 300  
Alexandria, Virginia 22314

TELEPHONE CALLS TO:  
**Kenneth M. Berner**  
(703) 684-1111

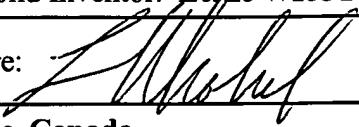
I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from **Thales Canada Inc.** to any actions to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys will be so notified by the undersigned.

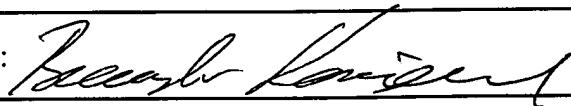
*See following page(s) for additional joint inventors.*

Full name of sole or first inventor: <b>Hubert CARON</b>	
Inventor's signature: 	Date: <b>17/03/04</b>
Residence: <b>Québec, Canada</b>	
Citizenship: <b>Canadian</b>	
Post Office Address: <b>1242 Dorion, Montréal, Québec, Canada H2K 4A1</b>	

## DECLARATION AND POWER OF ATTORNEY

Page 2

Full Name of Second Inventor: <b>Leslie WROBEL</b>	
Inventor's signature: 	Date: <b>17 MAR 04</b>
Residence: <b>Québec, Canada</b>	
Citizenship: <b>Canadian</b>	
Post Office Address: <b>12115 James Morrice Montréal, Québec Canada H3M 2H2</b>	

Full Name of Third Inventor: <b>Branislav KOVACEVIC</b>	
Inventor's signature: 	Date: <b>17 MAR 04</b>
Residence: <b>Québec, Canada</b>	
Citizenship: <b>Canadian</b>	
Post Office Address: <b>4394 King Pierrefonds, Québec, Canada H9H 2E9</b>	

Full Name of Fourth Inventor:	
Inventor's signature:	Date:
Residence:	
Citizenship:	
Post Office Address:	

Full Name of Fifth Inventor:	
Inventor's signature:	Date:
Residence:	
Citizenship:	
Post Office Address:	

Full Name of Sixth Inventor:	
Inventor's signature:	Date:
Residence:	
Citizenship:	
Post Office Address:	

Docket No.: 4590-219

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Hubert CARON, et al.

New U.S. Patent Application

: Group Art Unit: n/a

Filed: herewith

: Examiner: n/a

For: VERTICAL FIELD OF REGARD MECHANISM FOR DRIVER'S VISION  
ENHANCER

**DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Marc-André Jean, do hereby declare that:

1. I am an employee of Thales Optronics Canada.
2. I am acting as Technical Marketing Specialist for my employer.
3. On the dates and at the locations set forth in Appendix A attached hereto, I attended and demonstrated a Driver's Vision Enhancer (DVE) demonstration unit including a prototype system of an embodiment according to the claimed invention of the instant patent application. The demonstration unit was displayed only by myself, or other marketing personnel under my supervision and control, at each of the dates and locations specified in Appendix A.

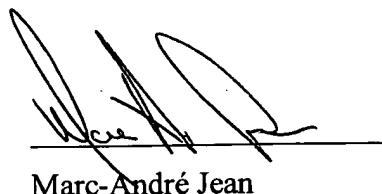
4. On the dates and at the locations set forth in Appendix A attached hereto, the demonstration unit was mounted on a table or on a tripod so as to allow the observers to look at the video image generated by the demonstration unit and to access the control knobs on the display module. However, no observer was invited or allowed to touch or otherwise actuate the mechanism of the prototype system. The demonstration unit was used to demonstrate the picture quality of the infra-red sensor used in the demonstration unit.

5. On the dates and at the locations set forth in Appendix A attached hereto, the prototype system within the demonstration unit was not described or commented during display of the demonstration unit.

6. On the dates and at the locations set forth in Appendix A attached hereto, the prototype system was not offered for sale or sold. No offers for sale were ever provided nor were any acceptance received.

7. On the dates and at the locations set forth in Appendix A attached hereto, there were no printed publications depicting or describing the prototype system or another embodiment according to the present invention distributed to persons not covered by a non-disclosure agreement with the present Assignee.

I further declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed by me on 12 Feb, 2004 at Montréal, QC.



Marc-André Jean

## Appendix A

Table 1

<b>Date</b>	<b>Demonstration</b>
26 February 02	Association of the United States Army (AUSA) Winter Symposium Fort Lauderdale, FL USA
16 June 02	Eurosatory Paris, France
8 August 02	68TH Association of Public Safety Communications Officials (APCO) Annual Conference & Exposition Nashville, TN, USA
10 April 03	Canada's defence and security technology showcase (CANSEC) Ottawa, Canada
6 May 03	Force Protection Equipment Demonstration (FPED) Quantico, Virginia USA
4 October 03	AUSA Washington, DC USA